

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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In re:

Myint Kyaw *aka* Jeffrey Wu,

Case No.20-72407-reg

Debtor.

Chapter 11
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ORDER CONVERTING CASE TO CHAPTER 7

The Debtor having filed a petition for relief under Chapter 11 on July 8, 2020, and the Court having filed an Order to Show Cause to convert the Debtor's case to a case under Chapter 7 on June 2, 2022 [ECF 208] and a hearing on the Order to Show Cause having been held on June 9, 2021 and the Court having determined to appoint an examiner pursuant to 11 U.S.C § 1104 (c), and an order having been entered authorizing the appointment of an examiner on June 15, 2021 [ECF 231], and an Order restoring the Order to Show Cause to convert the Debtor's case to a case under Chapter 7 having been entered on September 8, 2021 [ECF 255] and the Debtor having consented to the appointment of an operating trustee at the hearing held on the Order to Show Cause on September 13, 2021, and the Court having entered an order on September 14, 2021 directing the Office of the United States Trustee to appoint a Chapter 11 operating trustee pursuant to § 1104 [ECF 269], and Lori Lapin Jones having been appointed the Chapter 11 operating trustee ("Operating Trustee") of the Debtor on September 17, 2021, and the Debtor and the Operating Trustee having filed a Joint Disclosure Statement and Joint Plan on March 4, 2022 [ECF 362, 363], and an order approving the Second Amended Joint Disclosure Statement and scheduling a hearing on confirmation of the Second Amended Joint Plan having been entered on April 6, 2022 [ECF 398], and a hearing on confirmation of the Second Amended Joint Plan having been held on April 29, 2022, and the Operating Trustee having provided

testimony that the Second Amended Joint Plan was not confirmable, and the Court having stated on the record at the hearing, which is incorporated by reference hereto, that the Debtor's case would be converted to Chapter 7 if on or before July 6, 2022, the proposed financing required to fund the Debtor's plan was not finalized, and the Operating Trustee having reported to the Court that the proposed financing is no longer viable, and the Court having concluded that cause exists under 11 U.S.C. § 1112(b) to convert the Debtor's case to a case under Chapter 7; now therefor, it is hereby

ORDERED, that the Debtor's case is converted to a case under Chapter 7 of the United States Bankruptcy Code.

**Dated: Central Islip, New York
July 6, 2022**



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A handwritten signature in black ink, appearing to read "Robert E. Grossman".

**Robert E. Grossman
United States Bankruptcy Judge**